

PMC/vd USA0#2013R00166

MAR 05 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND BY

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

UNITED STATES OF AMERICA

v.

ROBERT HARVEY, and
KEITH MORRIS,

Defendants.

CRIMINAL NO. JB-13-0102

(Deprivation of Rights, 18 U.S.C. § 242;
Falsification of a Document, 18 U.S.C. §
1519; Aiding and Abetting, 18 U.S.C. §
2)

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INDICTMENT

COUNT ONE
(Deprivation of Rights)

The Grand Jury for the District of Maryland charges that:

Introduction

1. At all times relevant to this indictment, the Roxbury Correctional Institution ("RCI") in Hagerstown, Maryland, was a Maryland Division of Correction facility that housed inmates convicted of state crimes. RCI had housing units and a medical unit that included a dispensary and a holding cell.
2. On the 3 p.m. to 11 p.m. shift on March 8, 2008, defendant **ROBERT HARVEY** was on duty as a Lieutenant at RCI.
3. On the 3 p.m. to 11 p.m. shift on March 8, 2008, defendant **KEITH MORRIS** was on duty as a Correctional Officer at RCI.
4. KD was an inmate incarcerated at RCI on March 8, 2008.
5. On March 8, 2008, KD assaulted Correctional Officer TM.
6. After this incident, KD was escorted to the medical unit and placed in a holding cell.

The Charge

7. On or about March 8, 2008, in the District of Maryland, defendants

**ROBERT HARVEY, and
KEITH MORRIS**

while acting under color of law, and while aided and abetted by each other, willfully deprived KD of the right, protected and secured by the Constitution and laws of the United States, to be free from cruel and unusual punishment. Specifically, defendants **HARVEY** and **MORRIS**, aided and abetted by each other, assaulted KD inside his cell, and this offense resulted in bodily injury to KD.

18 U.S.C. §§ 242 and 2

COUNT 2
(Falsification of a Document)

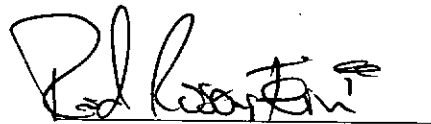
The Grand Jury for the District of Maryland further charges:

1. Paragraphs 1 through 6 of Count One are realleged and incorporated by reference herein.
2. On or about March 8, 2008, in the District of Maryland, defendant

ROBERT HARVEY,

acting in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly concealed, covered up, and falsified a document with the intent to impede, obstruct, and influence the investigation and proper administration of that matter; that is, defendant **HARVEY** signed and submitted a Department of Public Safety and Correctional Services Investigator's Summary and a Maryland Division of Correction Post-Incident Review that omitted that he and other officers known to the grand jury had used force against KD. In truth and in fact, as defendant **HARVEY** then well knew, defendant **HARVEY** and other officers had used unjustified and unlawful force against KD.

18 U.S.C. § 1519



Rod J. Rosenstein
United States Attorney

Thomas E. Perez
Assistant Attorney General
Civil Rights Division
United States Department of Justice

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

Date: March 5, 2013